

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDGAR UMANSOR,

Case No. 2:23-cv-00482-APG-EJY

Plaintiff,

ORDER

v.

MR. SCALLY, *et al.*,

Defendants.

On March 31, 2023, Plaintiff submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 2, 2-1. Plaintiff’s IFP application failed to include a financial certificate signed by a prison or jail official and his inmate trust fund account statement for the previous six-month period. The Court granted Plaintiff until May 10, 2023, to file a complete application to proceed *in forma pauperis*. ECF No. 3. In response, Plaintiff filed a motion for the Court to order someone in the Nevada Department of Corrections (“NDOC”) to provide a financial certificate and inmate account statement.¹ ECF No. 5. The Court denies the motion for a court order. Plaintiff will need to follow the proper prison procedures to request a financial certificate and inmate account statement from NDOC accounting. The Court will grant Plaintiff until June 23, 2023, to either pay the \$402 filing fee or submit a fully complete application to proceed *in forma pauperis*.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion for court order (ECF No. 5) is DENIED.

IT IS FURTHER ORDERED that on or before **June 23, 2023**, Plaintiff must either pay the \$402 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

¹ Plaintiff also requests a copy of the District of Nevada Local Rules of Practice. ECF No. 5. This request is denied. Each prison law library should have copies of the local rules for inmates to review and/or check out.

1 IT IS FURTHER ORDERED that failure to either pay the \$402 filing fee or file a complete
2 application to proceed *in forma pauperis* on or before **June 23, 2023**, will result in a recommendation
3 to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his
4 case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a
5 complete application to proceed *in forma pauperis* or pay the required filing fee.

6 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved
7 form application to proceed *in forma pauperis* for inmate along with the information and instructions
8 for filing the same.

9 DATED this 24th day of May, 2023.

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11 ELAYNA J. YOUCHAK
12 UNITED STATES MAGISTRATE JUDGE
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